



DEPARTMENT OF THE NAVY

OFFICE OF LEGAL COUNSEL
PORTSMOUTH NAVAL SHIPYARD
PORTSMOUTH NH 03804-5000

IN REPLY REFER TO:

5370
Ser 100L/027
19 DEC 2019

Mr. Louis McIntosh
15 Algonquin Drive
Cape Neddick, ME 03902

Dear Mr. McIntosh:

SUBJECT: FREEDOM OF INFORMATION ACT REQUEST CASE NUMBER
DON-NAVY-2017-007162

On or about June 4, 2017 you sent a request, pursuant to the Privacy Act (PA), 5 U.S.C. 552a, by email, for a copy of certain records of Code 130 and the Portsmouth Naval Shipyard's Human Resource Office since November 1, 2011 to the present. You later amended this request to limit it to certain documents that pertained to a selection to a Machine Parts Inspector position that occurred during 2011 and 2012.

Your request was assigned DON-NAVY-2017-007162. This is a final response to your request. I considered your request pursuant to the PA, the Freedom of Information Act (FOIA) and Secretary of the Navy FOIA Instruction 5720.42F.

Portsmouth Naval Shipyard has conducted a search for a record that is responsive to your request. No responsive records were located. Both the Human Resources Office of the Portsmouth Naval Shipyard and the Office of Civilian and Human Resources (OCHR) office, in Norfolk, Virginia, maintain such records for a two-year period. According to OCHR, the records that existed prior to 2013 have been shredded. In view of the foregoing, I have been unable to identify any responsive records.

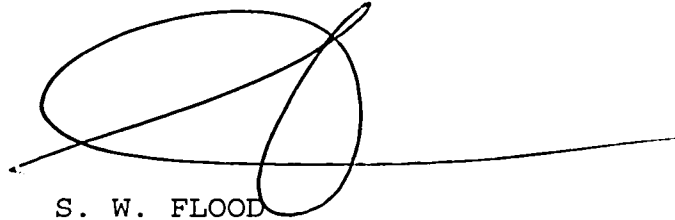
You have been characterized as an "Other" requestor for the purpose of analyzing the appropriate fee to charge for responding to this request. The charges for processing this request have been reviewed and you have not been assessed any fees or costs. The decision whether to assess fees and costs are taken on a case-by-case basis. The decision regarding fees and costs in this case is no indication as to how a future request will be administered.

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I am the official responsible for the decision regarding your request. Should you decide to file an appeal, it must be received within 90 calendar days from the date of this letter and should contain a copy of your original requests, a copy of this letter, and a statement indicating why you think your appeal should be granted. Attach a copy of this letter to the appeal and mark the appeal and the envelope "Freedom of Information Act Appeal." Mail the original to Department of the Navy, Office of the General Counsel, Attn: FOIA APPEALS, 1000 Navy Pentagon, Room 5A532, Washington, DC 20350-1000. Please mail a copy of the appeal to Commander, Naval Sea Systems Command (SEA 00A5), 1333 Isaac Hull Ave SE, Washington Navy Yard, DC 20376-1021.

As an alternative to filing an appeal, you may seek Alternate Dispute Resolution (ADR). You may submit your request for ADR either to DONFOIA-PA@navy.mil or you can call the Navy FOIA Service Center at 202-685-0214 or via mail to the Chief of Naval Operations (DNS-36), Attn: FOIA/PA Service Center, c/o - Head, SECNAV/CNO FOIA/PA Program Office, 2000 Navy Pentagon, Washington, DC 20350-2000.

If you have any questions regarding the foregoing, please contact me at telephone number (207) 438-1752 or via email at scott.w.flood@navy.mil, citing the FOIA Appeal Case Number DON-NAVY-2017-007162.



S. W. FLOOD
Associate Counsel